

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: OSCAR L. STEPHENSON
DAWN O. STEPHENSON

Debtor(s) CHAPTER 13

CHARLES J. DEHART, III
CHAPTER 13 TRUSTEE
Movant
vs.

OSCAR L. STEPHENSON
DAWN O. STEPHENSON

CASE NO: 5-13-06329-JJT

Respondent(s)

TRUSTEE'S MOTION TO DISMISS CASE

AND NOW, on July 17, 2014, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, by and through his attorney Agatha R. McHale, Esquire, and respectfully represents the following:

1. A Plan was filed on December 11, 2013.
2. A Confirmation hearing was held and an Order was entered on May 6, 2014 directing that an amended plan be filed within thirty (30) days.
3. As of the date of this Motion, an amended plan has not been filed.
4. The delay in filing a confirmable plan in this case is prejudicial to creditors.

WHEREFORE, your Trustee respectfully requests your Honorable Court dismiss the case upon the basis that Debtors have failed to propose a confirmable Plan.

Respectfully submitted,

/s/ Agatha R. McHale, Esq.
Attorney for Trustee
Charles J. DeHart, III
Standing Chapter 13 Trustee
Ste. A, 8125 Adams Drive
Hummelstown, PA 17036
717-566-6097

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CHAPTER 13

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NOTICE TO PARTIES

NOTICE IS HEREBY GIVEN that Charles J. DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania has filed a Motion to Dismiss for failure to file a confirmable Chapter 13 Plan.

YOU ARE HEREBY NOTICED that a hearing has been scheduled on this matter for:

U.S. Bankruptcy Court Max Rosenn U.S. Courthouse Courtroom #2 197 S. Main Street Wilkes Barre, PA	Date: August 5, 2014 Time: 09:30 AM
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Any objection/response to the above referenced matter must be filed and served on or before:
August 3, 2014.

If service was properly made and Respondent(s) fail to file an objection/response by the above specified date, the Court **may** determine after review of the Motion that no hearing is required and grant the relief requested.

If a default order has not been signed and entered, the parties or their counsel are required to appear in Court at the hearing on the above date and time.

Charles J. DeHart, III, Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
Phone: (717) 566-6097

Dated: July 17, 2014

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CHAPTER 13 TRUSTEE
Movant

CERTIFICATE OF SERVICE

AND NOW, on July 17, 2014, I, Vickie Williams, hereby certify that I served a copy of the Trustee's Motion to Dismiss, Notice, and Proposed Order either electronically or by depositing a true and correct copy of the same in the United States Mail at Hummelstown, Pennsylvania, first class mail, postage prepaid, addressed to the following:

SCOTT AMORI, ESQ.
AMORI & ASSOCIATES, LLC
513 SARAH STREET
STROUDSBURG, PA 18360

OSCAR L. STEPHENSON
DAWN O. STEPHENSON
6151 WOODCHUCK LANE
E. STROUDSBURG, PA 18301

Respectfully Submitted,
/s/ Vickie Williams
for Charles J. DeHart, III, Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
Phone: (717) 566-6097

Dated: July 17, 2014

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ORDER DISMISSING CASE

Upon consideration of the Trustee's Motion to Dismiss, it is hereby
ORDERED that the above-captioned bankruptcy be and hereby is DISMISSED.